

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-35 are pending, claims 36-39 having been withdrawn from consideration in this application.

In the outstanding Office Action, the restriction requirement made in the Office Action dated May 13, 2004 was made final; the specification was objected to as containing an informality; and claims 1-35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bahlmann (U.S. Patent No. 6,487,594, hereinafter Bahlmann), in view of Cogger et al. (U.S. Patent Application Publication No. 2002/0087383, hereinafter Cogger), and further in view of ‘Official Notice.’ For reasons discussed below, this rejection is respectfully traversed.

In response, the specification has been amended to correct the informality. No new matter has been added. The specification has been further amended to provide application serial numbers for the patent applications referred to in the Cross Reference to Related Patent Documents section. No new matter has been added.

Independent claim 1 is directed to a “trouble ticketing system” for supporting multiple service providers, each having end-users connected to a common network. The system includes a digital repository populated with *inter alia* “service provider entries including information about a first service provider ... and other information about a second service provider” and “trouble ticket entries ... each of the trouble ticket entries being associated with at least one of an end-user entry and a service provider entry.” The system further includes a “common trouble ticket interface mechanism” that provides a single user interface to the multiple service providers to access trouble ticket entries corresponding to them or to

their end-users within the digital repository. Thus, claim 1 is directed to a trouble ticketing system that supports end-users of multiple service providers within a single system, and provides access for the multiple service providers to the system through a common user interface.

Bahlmann, on the other hand, is directed to a policy management method and system for use by a single Internet service provider. Bahlmann depicts a policy management system through which a single Internet service provider (ISP) can offer Internet services to its subscribers in different regions. Bahlmann discusses regional policy databases and a central policy database operable with regional policy databases to allow that single ISP to manage and inter-relate the components of their regional operations as well as the differences between the regional operations. Bahlmann only refers to providing such a method and system for a single ISP.

Bahlmann does not teach a trouble ticketing system. Moreover, Bahlmann does not teach a trouble ticketing system that supports end-users of multiple service providers within a single system, and provides access for the multiple service providers to the system through a common user interface required by claim 1. Bahlmann, being directed to a single service provider's policy management system, does not teach this feature.

The Examiner has taken 'Official Notice' that the concept and advantages of "providing for computer readable medium (memory) encoded with processor readable instructions" is well known and expected in the art.<sup>1</sup> The Official Notice is relied on for the assertion that it "would have been obvious to one of ordinary skill in the art to include

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<sup>1</sup> Office Action dated May 28, 2004, p. 3, ¶ 9.

memory with Bahalaman [sic] because it would provide for execution of all the said tasks of Bahalaman [sic].”<sup>2</sup>

Applicants respectfully submit that Official Notice may only be taken in “certain circumstances,” when the notice of facts are “capable of such instant and unquestionable demonstration as to defy dispute.” MPEP § 2144.03(a) (citing In re Ahlert, 424 F.2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970) (citations omitted)). Furthermore, when Official Notice is taken, “the basis for such reasoning must be set forth explicitly. The Examiner must provide specific factual findings predicated on sound technical and scientific reasoning to support his or her conclusion of common knowledge.” MPEP § 2144.03(B). In the present case, Applicants respectfully submit that the Examiner has not explicitly set forth reasoning to qualify as common knowledge. The Official Notice taken is not capable of such instant and unquestionable demonstration as to defy dispute. Accordingly, it is respectfully requested that references be cited in support of the assertions.

Further, Applicants respectfully submit that the Official Notice does not teach or suggest what is also lacking in Bahlmann, namely, a trouble ticketing system that supports multiple service providers and their end-users within a single system, and provides the multiple service providers with access to the system through a common user interface.

Cogger is asserted for its teaching of “including trouble ticket information including trouble ticket status information.”<sup>3</sup> However, Cogger does not teach what is also lacking in Bahlmann and the Official Notice taken, namely, a trouble ticketing system that supports multiple service providers and their end-users within a single system, and provides the multiple service providers with access to the system through a common user interface.

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<sup>2</sup> Id.

<sup>3</sup> Id., p. 4, ¶ 11.

Therefore, no matter how Bahlmann is combined with Cogger, the combination fails to teach or suggest the presently claimed invention.

Independent claims 13, 24, and 25 each specifically require a trouble ticketing system that supports multiple service providers and their end-users within a single system, and provides access to the system through a common user interface, thereby distinguishing them from any combination of Bahlmann, the Official Notice taken in the outstanding Office Action, and Cogger for reasons similar to those discussed above.

Claim 13 is directed to a “trouble ticketing method” that includes a step of populating a digital repository with *inter alia* “service provider entries including information about a first service provider … and other information about a second service provider” and “trouble ticket entries … each of the trouble ticket entries being associated with at least one of an end-user entry and a service provider entry.” The method further includes a step of “providing a single user interface” that provides a single user interface to the multiple service providers to access trouble ticket entries corresponding to them or to their end-users within the digital repository.

Claim 24 is directed to a “trouble ticketing system” that includes a means for populating a digital repository with *inter alia* “service provider entries including information about a first service provider … and other information about a second service provider” and “trouble ticket entries … each of the trouble ticket entries being associated with at least one of an end-user entry and a service provider entry.” The system further includes a means for the multiple service providers to access trouble ticket entries corresponding to them or to their end-users within the digital repository.

Claim 25 is directed to a “computer program product” that includes a first computer code device configured to “maintain service provider information, end-user information, and

trouble ticket status information in a database, the end-user information including an association between each end-user and at least one service provider.” The computer program product further includes a second computer code device configured to provide the multiple service providers with access to trouble ticket entries corresponding to them or to their end-users within the database.

Thus, it is respectfully submitted that independent claims 1, 13, 24, and 25 patentably define over Bahlmann in view of Cogger and the Official Notice taken in the outstanding Office Action. Because claims 2-12 depend from claim 1, claims 14-23 depend from claim 13, and claims 26-35 depend from claim 25, it is respectfully submitted that these dependent claims also patentably define over any combination of Bahlmann, Cogger, and the Official Notice taken in the outstanding Office Action.

Consequently, in view of the present amendment, and in light of the above comments, Applicant respectfully submits that the invention defined by claims 1-35 is patentably distinguished from the prior art. An early and favorable reconsideration of this application is therefore respectfully requested.

Respectfully submitted,

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